

Before the  
UNITED STATES COPYRIGHT ROYALTY JUDGES  
The Library of Congress

In the Matter of

**DETERMINATION OF RATES AND  
TERMS FOR MAKING AND  
DISTRIBUTING PHONORECORDS  
(PHONORECORDS IV)**

**Docket No. 21–CRB–0001–PR  
(2023–2027)**

**DECLARATION AND CERTIFICATION OF MARY MAZZELLO**

1. I represent Apple Inc. (“Apple”) in the above-captioned proceeding. I respectfully submit this declaration and certification in support of Apple’s filing of the following documents, along with all associated exhibits, filed on February 3, 2022 pursuant to Section IV(A) of the Protective Order, dated July 20, 2021: Apple Inc.’s Opposition to Copyright Owners’ Motion to Compel Production of Documents and Information From Services Concerning Their Rate Proposals.

2. I, or personnel working under my supervision, have reviewed the Production. I also have reviewed the Protective Order.

3. I have determined to the best of my knowledge, information and belief that the documents in the Production marked “RESTRICTED — Subject to Protective Order in Docket No. 21-CRB-0001-PR (2023-27) (Phonorecords IV)” (the “Restricted Document”) are non-public and would, if disclosed, competitively disadvantage Apple, provide a competitive advantage to another participant in this proceeding, or interfere with Apple’s ability to obtain like information in the future.

4. The Restricted Documents consist of highly sensitive business information.

5. The Restricted Documents shall be treated as “Restricted” pursuant to the terms of the Protective Order and shall not be disclosed except in accordance with the Protective Order.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that, to the best of my knowledge, information and belief, the foregoing is true and correct.

Dated: February 3, 2022  
New York, NY

/s/ Mary Mazzello

Mary Mazzello  
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New York, NY 10022  
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*Counsel for Apple Inc.*

# Proof of Delivery

I hereby certify that on Thursday, February 03, 2022, I provided a true and correct copy of the Declaration and Certification of Mary Mazzello to Apple Inc.'s Opposition to Copyright Owners' Motion to Compel Production of Documents and Information From Services Concerning Their Rate Proposals to the following:

Johnson, George, represented by George D Johnson, served via ESERVICE at george@georgejohnson.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via ESERVICE at benjamin.marks@weil.com

Joint Record Company Participants, represented by Susan Chertkof, served via ESERVICE at susan.chertkof@riaa.com

Zisk, Brian, represented by Brian Zisk, served via ESERVICE at brianzisk@gmail.com

Spotify USA Inc., represented by Joseph Wetzel, served via ESERVICE at joe.wetzel@lw.com

Copyright Owners, represented by Benjamin K Semel, served via ESERVICE at Bsemel@pryorcashman.com

Powell, David, represented by David Powell, served via ESERVICE at davidpowell008@yahoo.com

Google LLC, represented by Gary R Greenstein, served via ESERVICE at ggreenstein@wsgr.com

Amazon.com Services LLC, represented by Joshua D Branson, served via ESERVICE at jbranson@kellogghansen.com

Signed: /s/ Mary C Mazzello